

1 **CHARLES B. GREENE**
2 **ATTORNEY AT LAW**
3 **84 W. SANTA CLARA STREET SUITE 770**
4 **SAN JOSE, CALIFORNIA 95113**
5 **(408) 279-3518**
6 **STATE ID # 56275**
7 **Attorney for Debtor**

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10 **UNITED STATES BANKRUPTCY COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN JOSE DIVISION**

13 **In re**) **Case No. 09-56517 rle**
14 **AMY STAVIS,**) **Chapter 13**
15) **Debtor.**) **TRIAL BRIEF**
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1 The Court has before it the factual issue of determining the fair market value of the
2 debtor's residence as of the date of the filing of the chapter 13 petition on August 7, 2009. There
3 are no legal issues before the Court.

4 The debtor will present testimony and evidence that the fair market value of the residence
5 at or about the time of the filing of the petition was \$775,000.00.

6 The debtor's Schedule D identifies two deeds of trust encumbered the residence on the
7 petition dates.

8 a. First deed of trust to Chevy Chase Bank in the approximate amount of \$675,000.00.
9 b. Second deed of trust to Chase Home Equity in the approximate amount of
10 \$186,045.00.

11 The debtor claimed a homestead exemption of \$75,000.00

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1 **CONCLUSION**

2 The debtor advocates that the court determine that the fair market value of the residence
3 as of the petition date was either \$775,000.00 or, alternatively, no more than \$936,000.00.

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5 DATED: May 10, 2010

/s/ CHARLES B. GREENE
CHARLES B. GREENE

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